

Melissa Weipert

From: House Clerk
Sent: Wednesday, September 6, 2017 3:25 PM
To: Melissa Weipert
Subject: FW: HB 4781, 4782, and 4783

From: McDonnell, Timothy [mailto:TMcDonnell1@OldRepublicTitle.com]
Sent: Wednesday, September 6, 2017 7:35 AM
To: House Clerk <HouseClerk@house.mi.gov>
Subject: HB 4781, 4782, and 4783

To the members of the House Committee on Tourism and Outdoor Recreation:

I am unable to attend today's hearing on the above referenced bills but would like to put my concerns on the record.

I am an avid cyclist (2500 plus miles per year) and runner (500 to 1000 miles per year) and a frequent user of the great mixed use trail and rail trail system in the State of Michigan. As a cyclist, I have been watching the evolution of bicycles with electric motors and the various attempts to classify them the same as a traditional human powered bicycle. In my opinion, these should be classified as sub-classes of moped and not be classified as a sub-class of bicycle. I have reviewed HB 4781, 4782 and 4783 and as a fellow trail user who may be on foot or may be powering my own bicycle down the trail, I have some concerns.

I have no problem with the pedal assisted bicycles with electric motors (governed at a top speed of 20mph) as the rider must be pedaling in order for the motor to engage and assist with hill-climbing or powering the bicycle down the road or trail. I believe the bills classify these types of bicycles with electric motors as Class 1 Electric Bicycles. In this scenario, the rider controls the effort and the speed of the bicycle and is more likely to be attentive to the overall control of the vehicle. These types of bikes are allowing people who may be returning to physical fitness or may have some other physical limitation to return to cycling and all the benefits it has to offer. I have no trouble sharing the mixed use trails with this type of rider.

I am; however, concerned with the language in the above referenced bills that would allow bicycles with a motor that have a throttle control and are governed to 20mph (Class 2 Electric Bicycles) and pedal assisted bicycles with electric motors governed to 28mph (Class 3 Electric Bicycles) to share the same trails as walkers and traditional cyclists. When the rider is not required to pedal in order to move the bicycle (Class 2 Electric Bicycles), they are inclined to treat this vehicle no different than a motorcycle or a gas powered moped. The Class 3 Electric Bicycles exceed the posted speed limits of most mixed use trails and present a very clear danger to the other users when operated at the upper limits of their speed. These bikes are quite a bit heavier than a traditional bicycle and will cause far greater harm in the event of a collision.

I nearly found out about the dangers of electric mopeds on mixed use trails this past weekend. As I was completing a 13 mile run on the Lakelands Trail this past Saturday, I began my cool-down walk. As I was walking, I heard an electronic horn and then somebody say "get out of the way!" When I turned to see what was coming down the trail, it was two healthy looking, young adults on electric mopeds that were not pedal assisted riding two abreast. They were traveling at least 20 mph and would have run me over causing great bodily harm had I not jumped off the paved section of the trail and out of their path. They made no effort to slow down or pass me other walkers safely. If these types of vehicles are allowed to use the mixed use trails, I only see an increase in this type of behavior.

In closing, I am glad that legislation is being reviewed to attempt to classify bicycles with electric motors. In my opinion, they should be classified as sub-classes of mopeds and be required to have the same licensing, etc. as gas powered mopeds. I don't feel that these vehicles belong on mixed use or mountain bike trails due to the speed and weight differential in the event of a collision. If these vehicles are allowed on the mixed use trails, it is only a matter of time before the gas powered mopeds will demand the same access and that is a very slippery slope.

The only exception that I can see that should be allowed is for people with a documented physical disability that are unable to ride a traditional bicycle.

Thank you for your time and consideration.

Sincerely,

Timothy J. McDonnell

Vice President | Michigan Agency Representative

O: 810-599-4878 | F: 734-786-8413

tmcdonnell@oldrepublictitle.com

Old Republic National Title Insurance Company | Old Republic Insurance Group

4000 Main Street, Suite 150 | Bay Harbor, MI 49770-8060

oldrepublictitle.com

Important Notice: The information contained in this email is private and confidential. It is intended only for the recipient(s) named above. If you are not named above or are not an agency of the recipient(s), then you have received this email in error, and to review, distribute or copy this transmission or its attachment(s) is strictly prohibited by federal law. If you have received this email in error, please notify the sender by email immediately. If you are the proper recipient and this email contains "protected health information", you must abide by the rules of the HIPAA and other privacy laws that apply. Thank you for your attention to this notice.